

Honorable Judge Benjamin Settle

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER,

Plaintiff,

v.

DETECTIVE SHARON KRAUSE, and  
SERGEANT MICHAEL DAVIDSON,

Defendants.

No. C11-5424BHS

**DECLARATION OF  
KATHLEEN T. ZELLNER IN  
SUPPORT OF PLAINTIFF'S  
MOTION FOR LEAVE TO  
TAKE TRIAL DEPOSITIONS  
OF MENONA LANDRUM AND  
ANN LINK, Ph.D.**

Pursuant to 28 U.S.C. § 1746, Kathleen T. Zellner declares under penalty of perjury under the laws of the State of Washington and the United States of America that the following is true and accurate:

1) I am the attorney of record for Plaintiff Clyde Ray Spencer in the above entitled action. I am competent to testify in all respects, and make this declaration from personal knowledge.

2) Menona Landrum's discovery deposition was taken on March 18, 2013. At the time of her deposition I was unaware that Ms. Landrum would be moving with her husband to Napa, California, and would be unavailable to testify at trial.

DECLARATION OF KATHLEEN T. ZELLNER IN SUPPORT  
OF PLAINTIFF'S MOTION FOR LEAVE TO TAKE TRIAL  
DEPOSITION (C11-5424BHS) — 1

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1           3)     Ann Link, Ph.D.'s discovery deposition was taken on December 17, 2012. At  
2 the time of her deposition I was unaware that Dr. Link would be traveling out of the country  
3 and would be unavailable to testify at trial.

4           4)     As a result, I did not examine these witnesses in the manner I would have  
5 examined them at trial

6           SIGNED this 4<sup>th</sup> day of November, 2013 in Downers Grove, Illinois.

7                               Respectfully submitted,  
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10                               /s/ Kathleen T. Zellner  
11 Kathleen T. Zellner & Associates, P.C.  
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19 Attorney for Plaintiffs  
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DECLARATION OF SERVICE

I hereby certify that on November 5, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the attorneys of record as follows:

Guy Bogdanoich Law, Lyman, Daniel, Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98508-1880 Email: gbogdanovich@lldkb.com Attorney for Defendant Sharon Krause	Jeffrey A. O. Freimund Freimund Jackson Tardif & Benedict Garratt, PLLC 711 Capitol Way South, Suite 602 Olympia, WA 98502 Email: jeffF@fjtlaw.com Attorneys for Defendant Michael Davidson
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/s/ Kathleen T. Zellner

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